

REMARKS

The above amendments and these remarks are responsive to the Office Action issued on May 18, 2005. By this response, claims 1, 2 and 11 are amended. No new matter is added. Claim 5 is cancelled without prejudice. Claims 1-4 and 6-11 are now active for examination.

The Office Action dated May 18, 2005 rejected claim 9 under 35 U.S.C. §112, first paragraph as being indefinite. Claims 1-11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tatsumi (JP2002178859) in view of Yehl et al. (EP0380037A3).

Applicants respectfully submit that the claim rejections are overcome in view of the amendments and/or remarks presented herein.

The Rejection of Claim 9 under 35 U.S.C. §112, First Paragraph Is Overcome

Claim 9 was rejected under 35 U.S.C. §112, first paragraph for lacking antecedent basis for “the positive electrode and the negative electrode of the ion generator.” By this Response, claim 9 is amended to change its dependency from claim 1 to claim 6, to provide proper antecedent basis. The rejection of claim 9 under 35 U.S.C. §112, first paragraph is respectfully overcome.

The Obviousness Rejection of Claims 1-11 Is Traversed

Claims 1-11 were rejected as unpatentable over Tatsumi in view of Yehl. By this Response, independent claims 1 and 11 are amended. It is submitted that the obviousness rejection is overcome because Tatsumi and Yehl cannot support a prima facie case of obviousness.

Claim 1, as amended, describes a vehicular neutralization apparatus comprising an ion generator disposed in at least a vicinity of a room lamp mounted to a central area of a roof inside

the vehicle to allow ions generated by the ion generator to be oriented toward an occupant, thereby neutralizing static electricity charged to the occupant. Appropriate support for the amended language of the claim can be found in, for example, page 5, first full paragraph of the written description.

The design as described in claim 1 provides various unexpected advantages. For instance, a room lamp 21 is generally mounted to the central area of the roof or the ceiling of a vehicle to provide a uniform illumination inside the vehicle. By disposing an ion generator in the vicinity of the room lamp, the ion generator efficiently supplies negative ions to a plurality of passengers in the vehicle, without being limited to the respective locations at which each ion generator is located, which eliminates the need to dispose an ion generator near each passenger. Furthermore, the room lamp is usually provided with a wiring from a power source. The ion generator, by being disposed in the vicinity of the room lamp 21, can share the power source and/or wiring with the room lamp 21, thereby shortens the wiring needed for the ion generator.

In contrast, Tatsumi describes providing an ion generator at different locations in a vehicle, including the driver's seat, door handles, ignition switch and/or window frames. At the end of the Tatsumi disclosure, it was suggested, without express teachings, that the ion generator may be located at other parts of the vehicle. Tatsumi does not provide specific teaching to dispose an ion generator in a vicinity of a room lamp mounted to a central area of a roof inside the vehicle, as described in claim 1.

The other document, Yehl, was cited by the Office Action for a purported disclosure of positioning an ion generator above the head of a passenger. The Office Action reasoned that, with the teaching of Yehl, one of ordinary skill in the art would have modified Tatsumi to attach an ion generator to the roof of the vehicle, in order to maximize effectiveness. However, neither

Tatsumi nor Yehl specifically teaches that the ion generator should be disposed at a location in a vicinity of a room lamp mounted to a central area of the roof, in order to obtain the various advantages as illustrated earlier. Therefore, Tatsumi and Yehl, even if combined, do not disclose “an ion generator disposed in at least a vicinity of a room lamp mounted to a central area of a roof inside the vehicle to allow ions,” as described in claim 1. Since the combination of Tatsumi and Yehl fails to disclose every limitation of claim 1, Tatsumi and Yehl cannot support a prima facie case of obviousness. The obviousness rejection is untenable and should be withdrawn. Favorable reconsideration of claim 1 is respectfully requested.

Claims 2-4 and 6-10, directly or indirectly, depend on claim 1 and incorporate every limitation thereof. Since claim 1 is patentable over Tatsumi and Yehl, claims 2-4 and 6-10 also are patentable over Tatsumi and Yehl by virtue of their dependencies on claim 1 as well as based on their own merits. Favorable reconsideration of claims 2-4 and 6-10 is respectfully requested.

Claim 11 describes a vehicular neutralization apparatus comprising ion generating means disposed in at least a vicinity of a room lamp mounted to a central area of a roof of a vehicle and an area in a vicinity of the roof inside the vehicle, and controlling means for controlling the ion generating means to supply the ions generated by the ion generating means. As discussed earlier relative to claim 1, Tatsumi and Yehl, even if combined, fail to disclose positioning an ion generator near a vicinity of a room lamp mounted to the roof of a vehicle. Accordingly, the combination of Tatsumi and Yehl does not disclose “ion generating means disposed in at least a vicinity of a room lamp mounted to a central area of a roof of a vehicle and an area in a vicinity of the roof inside the vehicle,” as described in claim 1. Therefore, claim 11 is patentable over Tatsumi and Yehl. Favorable reconsideration of claim 11 is respectfully requested.

The Rejection of Claim 5 Is Moot

By this Response, claim 5 is cancelled without prejudice. Accordingly, the rejection of claim 5 is now moot.

Conclusions

For the reasons given above, Applicants believe that this application is in condition for allowance, and request that the Examiner give the application favorable reconsideration and permit it to issue as a patent. If the Examiner believes that the application can be put in even better condition for allowance, the Examiner is invited to contact Applicants' representatives listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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